IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

Crl.MC.No. 1235 of 2007()

CP.3/2006 of JUDL.MAGISTRATE OF FIRST CLASS, ETTUMANUR

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PETITIONER:

DR.SAIBUNEESA BEEVI, PROFESSOR AND HEAD
OF THE DEPARTMENT, DEPARTMENT OF PSYCHIATRY,
KOTAYAM MEDICAL COLLEGE HOSPITAL, KOTTAYAM,
RESIDING AT JESSEENA, ARPPOOKKARA EAST P.O.,
KOTTAYAM.

BY ADV. SRI.M.BALAGOVINDAN

RESPONDENTS:

THE STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
ERNAKULAM, KOCHI-31.

BY PUBLIC PROSECUTOR SRI.P.G. THAMPI (DGP)

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 25/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

CRL.M.C.NO. 1235 OF 2007

Dated this the 25th day of May, 2007

ORDER

The petitioner faces the allegations, inter alia, under Secs.120B and 201 of the IPC. She is the 9th accused in the case. Final report has been filed. Cognizance has been taken. The case has already been committed. The matter is pending before the Sessions Court. It is not disputed that the matter stands posted for hearing on the question of charge/discharge.

2. It is at this stage that the petitioner has come to this Court with a prayer that the proceedings against her may be quashed. It is brought to my notice that a similar application filed by a co-accused was disposed of by this Court after elaborate hearing on 20/2/2007 as per the judgment in W.P.(c) No.2869/07. The learned counsel for the petitioner now only submits that reserving the rights of the petitioner also to seek

discharge under Sec.227 of the Cr.P.C., this Crl.M.C. may be dismissed.

3. I am satisfied that the said request can be accepted. This Crl.M.C. is dismissed. Needless to say that the petitioner's right under the Code to claim discharge shall remain.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge